

APR 19 2007

Attorney Docket No.: 1033-LB1009

REMARKS**Claims 23-28 Are Directed to Statutory Subject Matter**

The Office has rejected claims 23-28 under 35 U.S.C. §101 as being directed to non-statutory subject matter. With this response, claims 23-25 and 27 are amended to clarify that the computer-readable data is executable by a processor. With this response, the rejection of claims 23-28 is overcome. The Applicants respectfully request withdrawal of the rejection.

**Claims 1-3, 5-9, 12-15, 20, 23-24, 26, 29-35 and 37 Are Allowable over Pickett**

The Office has rejected claims 1-3, 5-9, 12-15, 20, 23-24, 26, 29-35 and 37, at page 3, paragraphs 3-23 of the Office Action, under 35 U.S.C. §102(b), as being anticipated by U.S. Patent No. 6,154,465 ("Pickett"). Applicants respectfully traverse the rejections.

None of the cited references, including Pickett, disclose or suggest each and every element of claim 1. In particular, Pickett fails to disclose or suggest "initiating presentation of a graphical user interface (GUI) element in response to initiation of a collaborative call, the GUI element operable to display a listing of call participants associated with the collaborative call," as recited in claim 1. In contrast to claim 1, Pickett discloses a window including one or more "line displays" representing telephone lines that are available for a particular application. *See Pickett*, col. 16, lines 15-20. However, the line displays in Pickett indicate a status of telephone lines that are being monitored, as opposed to "a graphical user interface (GUI) element in response to initiation of a collaborative call," as recited by claim 1. Further, Pickett fails to disclose or suggest a "GUI element operable to display a listing of call participants associated with the collaborative call," as recited in claim 1. Accordingly, Pickett fails to disclose or suggest each and every element of claim 1 and of claims 2, 3, 5-9, 12-15, and 20 at least by virtue of their dependency from claim 1. Therefore, claims 1-3, 5-9, 12-15 and 20 are allowable over Pickett.

None of the cited references, including Pickett, disclose or suggest each and every element of claim 23. In particular, Pickett fails to disclose or suggest "computer readable data executable by a processor to initiate presentation of a host graphical user interface (GUI) in connection with a collaborative call, the host GUI comprising an administrator icon and a listing

of call participants associated with the collaborative call,” as recited in claim 23. As discussed above, Pickett discloses a window that includes line displays to indicate a status of a telephone line, and not “a listing of call participants associated with the collaborative call,” as recited in claim 23. Accordingly, Pickett fails to disclose or suggest each and every element of claim 23 and of claims 24 and 26 at least by virtue of their dependency from allowable claim 23. Therefore, claims 23, 24 and 26 are allowable over Pickett.

None of the cited references, including Pickett, disclose or suggest each and every element of claim 29. In particular, Pickett fails to disclose or suggest “a participant status engine executing on the computing platform and operable to track a caller status associated with participants of the collaborative call, wherein the caller status is selected from a group consisting of an on-call state, an off-call state, a currently speaking state, a waiting to speak state, and a paused-call state,” as recited in claim 29. As discussed above, Pickett discloses a window that includes line displays to indicate a status of a telephone line, and not “caller status associated with participants of the collaborative call,” as recited in claim 29. Accordingly, Pickett fails to disclose or suggest each and every element of claim 29 and of claims 30-35 and 37, at least by virtue of their dependency from allowable claim 29. Therefore, claims 29-35 and 37 are allowable over Pickett.

#### **Claims 1, 3-5, and 21-22 Are Allowable over Lee**

The Office has rejected claims 1, 3-5, and 21-22, at page 9, paragraphs 24-29 of the Office Action, under 35 U.S.C. §102(e), as being anticipated by U.S. Patent No. 7,010,107 (“Lee”). Applicants respectfully traverse the rejections.

None of the cited references, including Lee, disclose or suggest each and every element of independent claim 1. In particular, Lee fails to disclose or suggest “initiating presentation of a graphical user interface (GUI) element in response to initiation of a collaborative call, the GUI element operable to display a listing of call participants associated with the collaborative call,” as recited in claim 1. In contrast to claim 1, Lee discloses an interface to enter telephone numbers to initiate a call. *See Lee*, Figure 11. However, Lee does not disclose or suggest “initiating presentation of a graphical user interface (GUI) element in response to initiation of a

collaborative call,” as recited by claim 1. Instead, Lee discloses that the interface is used to initiate the calls and that the caller may use the interface to “moderate the access and participation of each call recipient,” such as via a call mute, a call hold, and a call disconnect option. *See Lee*, col. 10, lines 31-39 and Figure 11. Thus, the interface of Lee is presented before the call, and not “in response to initiation” as recited in claim 1.

Further, Lee fails to disclose or suggest “updating information presented in the GUI element in response to a status change of a call participant,” as recited in claim 1. Instead, Lee discloses that the interface is used to moderate the access and participation. *See Lee*, col. 10, lines 31-39. Thus, the interface of Lee is updated in response to the customer’s control selections, not “in response to a status change of the call participant,” as recited in claim 1. Accordingly, Lee fails to disclose or suggest at least one element of independent claim 1, and of claims 3-5, 21 and 22, at least by virtue of their dependency from allowable claim 1. Applicants respectfully request withdrawal of the rejections.

**Claims 10, 11, 16-19, 25 and 27-28 Are Allowable over Pickett and Nakata**

The Office has rejected claims 10, 11, 16-19, 25, 27 and 28, at page 11, paragraphs 30-31 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Pickett in view of U.S. Patent Publication No. 2003/0169291 (“Nakata”). Applicants respectfully traverse the rejections.

None of the cited references, including Pickett and Nakata, alone or in combination, disclose or suggest each and every element of claim 1 or of claim 23, from which claims 10, 11, 16-19, 25, 27, and 28 depend. As previously discussed, Pickett fails to disclose or suggest “initiating presentation of a graphical user interface (GUI) element in response to initiation of a collaborative call, the GUI element operable to display a listing of call participants associated with the collaborative call,” as recited in claim 1. In contrast to claim 1, Pickett discloses a window including one or more “line displays” representing telephone lines that are available for a particular application. *See Pickett*, col. 16, lines 15-20. However, the line displays in Pickett indicate a status of telephone lines that are being monitored, as opposed to “a graphical user interface (GUI) element in response to initiation of a collaborative call,” as recited by claim 1.

Nakata fails to overcome the deficiencies of Pickett. Nakata discloses a desktop conference that conducts the conference via conference documents. *See Nakata*, Abstract. However, Nakata fails to disclose or suggest "initiating presentation of a graphical user interface (GUI) element in response to initiation of a collaborative call, the GUI element operable to display a listing of call participants associated with the collaborative call," as recited in claim 1. Accordingly, the asserted combination of Pickett and Nakata fails to disclose or suggest each and every element of claim 1 and of claims 10, 11, and 16-19 at least by virtue of their dependency from allowable claim 1. Therefore, claims 10, 11, and 16-19 are allowable over the combination of Pickett and Nakata.

None of the cited references, including Pickett and Nakata, alone or in combination, disclose or suggest each and every element of claim 23. In particular, Pickett fails to disclose or suggest "computer-readable data executable by the processor to initiate presentation of a participant GUI having an appearance different than the host GUI," as recited in claim 23. As discussed above, Pickett discloses a window that includes line displays to indicate a status of a telephone line, and does not provide a participant GUI, as recited in claim 23. Nakata discloses a common desktop conference screen among participants. *See Nakata*, p. 4, paragraph [0054]. Accordingly, the asserted combination of Pickett and Nakata fails to disclose or suggest each and every element of claim 23 and of claims 25, 27 and 28 at least by virtue of their dependency from allowable claim 23. Therefore, claims 25, 27 and 28 are allowable over the asserted combination of Pickett and Nakata.

#### **Claim 36 Is Allowable over Pickett and Goldman**

The Office has rejected claim 36, at page 12, paragraphs 32-33 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Pickett in view of U.S. Patent No. 6,134,235 ("Goldman"). Applicants respectfully traverse the rejections.

None of the cited references, including Pickett and Goldman, alone or in combination, disclose or suggest each and every element of claim 29, from which claim 36 depends. In particular, Pickett fails to disclose or suggest "a participant status engine executing on the computing platform and operable to track a caller status associated with participants of the

collaborative call, wherein the caller status is selected from a group consisting of an on-call state, an off-call state, a currently speaking state, a waiting to speak state, and a paused-call state," as recited in claim 29. As discussed above, Pickett discloses a window that includes line displays to indicate a status of a telephone line, and not "caller status associated with participants of the collaborative call," as recited in claim 29. Goldman fails to overcome the deficiencies of Pickett. In particular, while Goldman mentions an "easy point-and-click interface for initiation of POTS conference calls" (*Goldman*, col. 13, lines 1-2), Goldman fails to disclose or suggest "a participant status engine executing on the computing platform and operable to track a caller status associated with participants of the collaborative call, wherein the caller status is selected from a group consisting of an on-call state, an off-call state, a currently speaking state, a waiting to speak state, and a paused-call state," as recited in claim 29. Accordingly, the asserted combination of Pickett and Goldman fails to disclose or suggest each and every element of claim 29 and of claim 36, at least by virtue of their dependency from allowable claim 29. Therefore, claim 36 is allowable over the asserted combination of Pickett and Goldman.

#### **New Claims 38-40 Are Allowable**

New claims 38-40 are added. None of the cited references, alone or in combination, disclose the particular elements recited by claims 38-40. Claim 38 recites a method that includes presenting a graphical user interface (GUI) element in response to initiation of a collaborative call having two or more call participants. The GUI element is operable to display a listing of the two or more call participants. The listing includes a participant status associated with each of the two or more call participants. The method further includes updating information presented in the GUI element in response to a change in a participant status of a call participant, where the participant status is related to activity by the call participant during the collaborative call. None of the cited references, alone or in combination, disclose or suggest the particular arrangement of elements as recited in claim 38.

Further, new claim 39 recites that "a first participant status associated with a first call participant of the two or more call participants is different from a second participant status associated with a second call participant of the two or more call participants." New claim 40 recites that the method also includes "communicating data to a calendar program of a call

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NO. 266 P. 17

APR 19 2007

Attorney Docket No.: 1033-LB1009

participant to populate the calendar program with a scheduled item." None of the cited references, alone or in combination, disclose or suggest the particular elements recited in claims 39 and 40.

### CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the references applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

Any changes to the claims in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

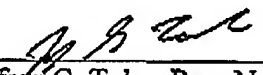
The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

4-19-2007

Date

  
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